

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DONALD C. HUTCHINS

Plaintiff

v.

CARDIAC SCIENCE, INC

and

COMPLIANT CORPORATION.

Defendants

Civil Action: 04-30126-MAP

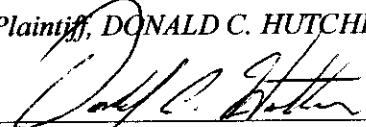
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U.S. DISTRICT COURT
DISTRICT OF MASS.

**PLAINTIFF'S MOTION TO STRIKE AND MEMORANDUM IN OPPOSITION TO
DEFENDANT COMPLIANT CORPORATION'S MOTION TO DISMISS AMENDED
COMPLAINT FOR FAILURE OF SERVICE OF PROCESS**

Defendant Compliant Corporation's Motion to Dismiss Amended Complaint for Failure of Service of Process under Rule 4 of the Federal Rules of Civil Procedure should be stricken. The Complaint filed by Plaintiff, Donald C. Hutchins ("Hutchins") was properly served despite the ongoing effort of the Compliant Corporation ("Compliant") to conceal the identity of its place of business, officers and registered agent.

The Plaintiff, DONALD C. HUTCHINS, Pro Se

Dated: February 17, 2005


1047 Longmeadow Street
Longmeadow, Massachusetts 01106
(413) 734-2625
(413) 739-4060 (facsimile)

CERTIFICATE OF SERVICE

I, Richard J. Moriarty, 43 Greenacre Avenue, Longmeadow, Massachusetts 01106, hereby certify that I served a copy of the foregoing on the appropriate parties by sending a copy by registered mail to:

Randall T. Skaar, Esq., Patterson, Thunte, Skaar & Christensen, P.A., 4800 IDS Center, 80 South Eighth St., Minneapolis, MN 55402.

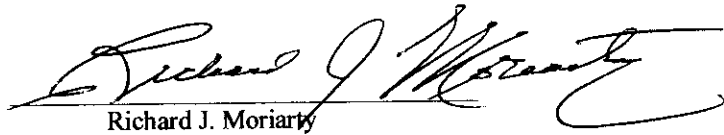
:

Paul T. Rothschild, Esq., Bacon & Wilson P.C., 33 State Street, Springfield, MA 01103.

John J. Egan, Esq., Egan, Flanagan and Cohen, P.C., 67 Market Street, P.O. Box 9035, Springfield, Massachusetts 01101-9035

Dated:

2/17/05


Richard J. Moriarty